

**CALENDAR ITEM  
C98**

A 20  
S 10

6/23/11  
PRC 8370.1  
D. Simpkin

**REVISION OF RENT**

**LESSEE:**

Kings and Lyons, a partnership

**AREA, LAND TYPE, AND LOCATION:**

0.07 acres, more or less, of sovereign land in Coyote Creek, near the city of Fremont, Alameda County.

**AUTHORIZED USE:**

Continued use and maintenance of four flap/slide-gate culverts.

**LEASE TERM:**

30 years, beginning January 31, 2002.

**CONSIDERATION:**

This lease provides that Lessor may modify the rent periodically during the lease term. Pursuant to this provision, staff has conducted a review of the rent under this lease, and recommends that the rent be revised from \$2,340 per year to \$2,572 per year, effective January 31, 2012.

**OTHER PERTINENT INFORMATION:**

1. The Lessee has the right to use the uplands adjoining the lease premises.
2. On January 30, 2002, the Commission authorized a General Lease – Right of Way Use with King and Lyons, a partnership, for a term of 30 years. This lease will expire on January 30, 2032.

**EXHIBIT:**

- A. Site and Location Map

**RECOMMENDED ACTION:**

It is recommended that the Commission:

CALENDAR ITEM NO. **C98** (CONT'D)

**CEQA FINDING:**

Find that the activity is not subject to the requirements of CEQA pursuant to Title 14, California Code of Regulations, section 15060(c)(3) because the activity is not a project as defined by Public Resources Code section 21065 and Title 14, California Code of Regulations, section 15378.

**AUTHORIZATION:**

Approve the Revision of Rent for Lease No. PRC 8370.1 from \$2,340 to \$2,572 per year, effective January 31, 2012.